

Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, September 27, 2004 at 7:00 PM

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux, and Daniel Morgado, Town Manager. Mr. DePalo called the meeting to order at 7:05pm.

Preliminaries:

1. Approve bills, payrolls and warrants #0521 in the amount of \$295,200.48, #0523 in the amount of \$1,594,772.70, #0524 in the amount of \$6,485,028.54, and #0526 in the amount of \$3,788,087.66.
2. Approve Minutes of September 13, 2004. Motion made, seconded and unanimously voted to approve.
3. Announcements – Mr. Card asked about the new light poles in the area of the library/credit union. They seemed to be very close to the curb and street. Town Engineer, Jack Perreault, advised that the location of the poles would not be a problem. Mr. Lebeaux reminded everyone that Retirement Reception for Library Director Bonnie O'Brien will be held this Thursday, September 30th from 2:00pm to 4:00pm at the library. Mr. Fiore advised that the Spirit of Shrewsbury Festival is scheduled for this weekend October 1-3. There will be exhibits on the Town Common and a Canoe & Kayak Race on Lake Quinsigamond on Saturday. The festivities will conclude on Sunday with a parade at 1:00pm with post parade activities immediately following at Dean Park.
4. Town Manager's Report - Nothing other than what is on the Agenda.

State Representative Karyn Polito was present and presented a large American flag to the Town to be flown on the Town Common in time for the Spirit of Shrewsbury and dedication of the new light fixtures and Town Center improvements. This flag is a much needed replacement for a flag Rep. Polito had presented to the town after 9/11. Mr. DePalo thanked the Representative for all the hard work she has done in making these improvements possible.

Meetings:

5. 7:05pm – CMRPC – Rich Rydant, Route 20 Traffic Study. Mr. Rydant advised that the draft of the study is complete and went over the major findings of the study. He would like to get the Board's approval to move ahead with the next step and present the study to Tom Waruzila of MassHighway, District 3. He thanked the Town departments and Rep. Polito for their participation. The study covered the entire length of Route 20 but the intersection of Grafton Street and Route 20 was by far the most dangerous counting for three times the number of accidents than average. CMRPC also looked at various ways to compensate for the increase in traffic volume on this road including road widening but did not see that as an immediate solution as state money is tight. However, the increased traffic and accident rate of the Grafton Street intersection in particular would increase the chances of approval by the State Highway Dept for inclusion in the Traffic Improvement Program. Funding probably would not be available for 10 years but the project would be approved and should be labeled as a safety project when it reached the TIP. Motion was made to authorize CMRPC to present the study to MassHighway as a project worthy of their consideration. Motion was seconded and unanimously approved. Copies of the study to be forwarded to the Planning Board and ZBA.

Public Hearings:

6. 7:15pm – Polly's Restaurant, Inc. d/b/a J.D's Sports Bar, 1 Pineland Avenue, Gerald DeCaire, owner. Alteration of premises for All Alcoholic Beverages Pouring License, Hours of Operation: Monday-Saturday 8:00am-2:00am, Sunday 11:00am-1:00am. Mr. DeCaire was present and reviewed his plans for an outside smoking area with tables which would have no roof but would be surrounded by a fence with a concrete pad floor. He added that after talking to his landlord he had decided that he would rather locate the smoking area behind the building rather than on the Route 20 side. Mr. DePalo advised Mr. DeCaire to withdraw his application due to the fact that this change, according to ABCC regulations, would require another legal advertisement. Mr. DeCaire asked that his application be withdrawn at this time. He will reapply at a later date when he had the appropriate drawings for the new location. Motion was made, seconded and unanimously voted to allow Mr. DeCaire to withdraw his application and reapply when he has new plans.

Old Business:

7. Traffic on Municipal Drive – Right Turn at Paton School. Mr. DePalo said that he had spoken to Chief Sampson and he advised no problems had been encountered with this change. Board will let amendment stand per Chief Sampson's verbal reply.
8. Approve appointment of Keith Willette and Barbara Smith to the Commission on Disabilities for three year terms expiring on June 30, 2007. Motion was made seconded and unanimously voted to ratify the Manager's appointments.

New Business:

9. Pepper's Fine Foods Catering, 43 Hudson Street, Northborough, One Day All Alcoholic Beverage License for Shrewsbury School Dept. Reception at Hoagland-Pincus Conference Center, 222 Maple Avenue, Monday, October 25, 2004 from 5:00pm to 10:00pm. Motion was made, seconded and unanimously voted to approve the application for a One Day Wine and Malt Beverages License only for Pepper's Fine Foods for the date and time as stated on the application. Motion was seconded and unanimously voted.
10. Act to end Water Restrictions for 2004 effective October 1, 2004. Mr. Lebeaux recused himself from the vote citing appearance of conflict of interest. Motion was made to rescind the Water Use Restriction effective October 1, 2004. Motion was seconded and voted 4 in favor with one abstention.
11. Appoint William E. Pickett, Jr. as constable for a one year term expiring June 30, 2005. After a discussion, motion was made to deny the Mr. Pickett's request based on the fact that the public need is being met by the current number of constables appointed by the Board. Motion was seconded and unanimously voted.
12. Act on Town's share of one-time municipal relief aid. Motion was made to authorize the Chairman to sign the form for the one time municipal aid appropriation. Motion was seconded and unanimously approved.
13. Act on Health Insurance Program (HIP) – Retention of Consultant. Mr. Morgado reviewed the Town's health insurance situation. An RFQ was advertised and one bid was received from Segal Company. The Insurance Advisory Committee has given their approval to the Segal proposal. Mr. Morgado stated that he was now seeking the Board's approval to retain Segal Company as a consultant. Motion was made, seconded and unanimously voted to support the program as presented by the Town Manager.
14. Shrewsbury Electric Light Department recommends ten (10) 70-watt high-pressure sodium light fixtures to be installed as shown on plan entitled "Park Grove Lane" dated rev. 4/03. Development requests decorative street lighting as in Town Center. Developer to pay \$2,150 per light installation fee. Annual cost to the Town would be \$31.10 per light totaling \$311.00. Motion was made, seconded and unanimously voted to approve the installation as recommended by Shrewsbury Light Dept.

Executive Session:

15. Collective bargaining, value of real property and pending litigation. Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:35pm and not to reconvene for the purpose of discussing collective bargaining. The Board was polled, Mr. Hammond, yes, Mr. Fiore, yes, Mr. Card, yes, Mr. Lebeaux, yes, and Mr. DePalo, yes.

Communications:

16. Noted copy mailed: Letter from Kathryn Morel, 134 Howe Avenue, re oil burner inspection. Mr. Morgado will reply.
17. Noted copy mailed: MMA Action Alert #10, 9/10/04.
18. Noted copy mailed: Letter from Thomas Josie expressing interest in reappointment to the Scholarship Committee. Motion was made, seconded and unanimously voted to reappoint Thomas Josie to the Scholarship Committee for a term of three years expiring on October 31, 2007.
19. Noted copy mailed: Veolia Water Monthly Compliance Report, August 2004.
20. Noted copy mailed: SELCO Commission Meeting Minutes, 6/14/04.
21. Noted copy mailed: Letter from Stephen W. Heald, 38 Browning Road, re neighborhood speeding and parking at Dean Park. Refer to Police Dept. for recommendation.
22. Copy mailed: City & Town, Vol. 17, No. 7, September 2004.
23. Noted copy mailed: Information from CMRPC re Commonwealth Capital. Eric Denoncourt is working on this grant.
24. Noted copy mailed: Park & Cemetery Commission Meeting Minutes, 7/12/04. Mr. Morgado will make appointment next week.
25. Noted copy mailed: Letter from Bridget M. Murphy resigning from ZBA. Ms. Murphy, a State Administrative Judge, submitted her resignation due to recent legislation barring Administrative Judges from serving in any governmental position. The Board will send a letter to Ms. Murphy thanking her for her outstanding service to the Town. Opening will be advertised on cable. Letters expressing interest in appointment should be sent to the Board of Selectmen's office by Friday, October 15th at 2:00pm. Applications previously received will also be reviewed.

26. Noted copy mailed: Notification from Water Resources Commission of WRC Decision.
27. Noted copy mailed: School Committee Meeting Agenda, 9/22/04.
28. Noted copy mailed: E-mails from Ken Milley re Flanagan Drive and response from Brad Stone of the Conservation Commission.
29. Noted copy mailed: Memo from Executive Office of Environmental Affairs re Water Assets Study (complete report on file in BOS office).
30. Noted copy mailed: Letter from Executive Office for Administration & Finance, Div, of Capital Asset Management re Notification of Surplus Commonwealth Property: Shrewsbury. This is a parcel of State land which is part of the Glavin property located on Route 9. Land is zoned for industrial purposes.
31. Noted copy mailed: Memo from Dept. of Housing & Community Development re Soft Second Loan Program Notice of Funding Availability FY2005.
32. Noted copy mailed: Notice from Dept. of Revenue of change in date for "What's New in Municipal Law" seminar.
33. Noted copy mailed: MMA's Fall Regional Update Meeting schedule.
34. Noted copy mailed: MMA 2005 Annual Meeting & Trade Show material and registration. Board members to advise secretary of interest in attending.
35. Noted copy mailed: ZBA Hearing Minutes, 8/3/04, Fred & Linda Dutile, 19 Morrill Avenue.
36. Noted copy mailed: ZBA Hearing Minutes, 8/3/04, Gina Cariglia, 46 No. Quinsigamond Avenue.
37. Noted copy mailed: ZBA Hearing Minutes, 8/3/04, Scott Migala & Gary Mattos, 57 Old Brook Road.
38. Noted copy mailed: Memo from Dept. of Revenue Underground Storage Tank Program re FY2005 Cities & Towns Municipal Grant Program. Town is all set.
39. Noted copy mailed: E-mail from Arc of Innovation regarding Arc Advocacy: Partnership supports restoration of LIFT service & improved access to RTA services.
40. Noted copy mailed: Invitation from Arc of Innovation to Regional Workshop: Water Assets Study.
41. Noted copy mailed: E-mail from Bob Ryan, 8 Colonial Drive, re MBTA Westborough Parking Fiasco. Rep. Polito is working on this matter.
42. Noted copy mailed: Letter from Rep. Polito re results of noise attenuation study for I-290 in Shrewsbury. Rep. Polito was successful in getting this study done. However, the area does not meet noise level necessary to have anything done at this time.
43. Noted copy mailed: Planning Board Meeting Agenda, 10/7/04.
44. Noted copy mailed: Memo from Brad Stone re MGL 61A, sec. 14, Gold Street Nominee Trust & David Adams Property Notice of Sale/Conversion. Hold until October 18th meeting after Planning Board meets on October 7th.

Mr. DePalo noted the tragedy that occurred at the St. Mary's Family Festival when a resident of the Glavin Center was killed to due to a defective amusement ride. He would like to put together a policy for the Board to use when a request for this type of a license is received. Would like draft for next meeting on October 4th.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:35pm not to reconvene for the purpose of discussing collective bargaining.

Respectfully submitted,

Janice C. McCoy
Secretary